

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CARLOS POLANCO,

Plaintiff,

- against -

RIKERS ISLAND, ANNA M. KROSS
CORRECTION,

Defendant.

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ROSLYNN R. MAUSKOPF, United States District Judge.

MEMORANDUM AND ORDER
14-CV-2063 (RRM)(RLM)

Pro se plaintiff Carlos Polanco (“Polanco”) filed the above-captioned complaint on May 28, 2014. (Doc. No. 1.) By Memorandum and Order dated July 3, 2014, the Court granted Polanco’s request to proceed *in forma pauperis*, dismissed the complaint for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B), and provided Polanco thirty (30) days within which to file an amended complaint. (Doc. No. 4.) The Court expressly warned Polanco that, if he failed to re-plead in a timely fashion, the Court would enter a judgment dismissing the action.

On August 7, 2014, the Court granted Polanco’s request for an additional thirty (30) days within which to file the amended complaint. Well more than thirty days have now elapsed, but Polanco has not filed an amended complaint.

Accordingly, it is hereby ORDERED that this civil action is dismissed. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal.

The Clerk of Court is directed to mail a copy of this Memorandum and Order and the accompanying Judgment to *pro se* plaintiff and to close the case.

SO ORDERED.

Roslynn R. Mauskopf

Dated: Brooklyn, New York
December 22, 2014

ROSLYNN R. MAUSKOPF
United States District Judge